

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

ALFOUSSEINY KELLY,
Plaintiff,

v.

MARCHE MOVENPICK, RICHTREE
U.S.A., IGOR REICHERT, HOLGER
MAMMEN, LIZA KASTROM,
MARTINE THOMAS, ELIE
GHORAYEB,
Defendants.

Civil Action No. 04-12028-RGS

JOINT STATEMENT PURSUANT TO LOCAL RULE 16.1(D)

The parties submit this Joint Statement pursuant to Local Rule 16.1 of the United States District Court for the District of Massachusetts and the Court's Notice of Scheduling Conference. The parties agree and request that the Court approve the following proposed Pretrial Schedule and Discovery Plan:

Proposed Pretrial Schedule and Discovery Plan

September 30, 2005	Deadline for completion of all fact discovery, including requests for production of documents, interrogatories and fact witness depositions.
November 18, 2005	Deadline for filing dispositive motions, if any party determines that such a motion is appropriate. A moving party may file a reply to the opposition of the responding party.
November 30, 2005	Plaintiff to disclose his experts and expert reports.
December 30, 2005	Defendant to disclose its experts and expert reports.
January 13, 2006	Local Rule 16.3 Case Management Conference and hearing on any dispositive motions.
February 15, 2006	Depositions of Plaintiff's and Defendant's experts to be completed.

The parties further understand and agree that this discovery schedule assumes the cooperation of the parties, all third party witnesses and expert witnesses. The parties further agree that requests for additional time for discovery may be made and shall be reasonably agreed to in the event of delays occasioned by discovery disputes requiring a decision by the Court, and/or the unavailability of fact or expert witnesses due to vacation or work schedules.

SETTLEMENT

Plaintiff has submitted a settlement proposal. The parties have been unable to reach any agreement on settlement as of this date.

CERTIFICATIONS

Local Rule 16.1(D)(3) certifications will be filed by each of the parties under separate cover. The parties decline to have a trial in front of a Magistrate.

WHEREFORE, Plaintiff and Defendant respectfully request that the Court approve their Proposed Pretrial Schedule and Discovery Plan, with such amendments as the Court deems just and proper.

Respectfully submitted,

ALFOUSSEINY KELLY
By his attorney,

MARCHE MOVENPICK/
RICHTREE U.S.A.,
By their attorneys,

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January 21, 2005

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